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In re Application of :
Lee G. D'Ante :
Serial No.: 09/672,843 : PETITION DECISION
Filed: September 28, 2000 :
Attorney Docket No.: OREX.004DD :

This is in response to the petition under 37 CFR 1.181, filed July 6, 2004, requesting withdrawal of abandonment based on timely filing of a reply.

A review of the file history shows that the examiner mailed an Office action to applicant on November 8, 2002, setting a two month shortened statutory period for reply. On September 5, 2003, the Office mailed a Notice of Abandonment to applicants for failure to file a reply to the Office action. Applicant states that a reply was filed on December 27, 2002, and provides a copy thereof. The reply has now been located and placed in the file. In view of the timely reply, the Notice of Abandonment was mailed in error and is withdrawn and the application restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for further action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number


Bruce M. Kisliuk
Director, Technology Center 1600